



COUNTY OF LOS ANGELES

CLAIMS BOARD

500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

John Naimo
Auditor-Controller
Laurie Milhiser
Chief Executive Office
John F. Krattli
Office of the County Counsel

NOTICE OF MEETING

The County of Los Angeles Claims Board will hold its regular meeting on **Monday, November 21, 2011, at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.
3. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

- a. Richard Davis v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. MC 021 753

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Department of Public Works; settlement is recommended in the amount of \$50,000.

[See Supporting Documents](#)

- b. Claim of Riverside County Sheriff's Department
(Brian Carrico)

This claim seeks reimbursement for the costs of a search and rescue operation; settlement is recommended in the amount of \$24,655.92.

[See Supporting Document](#)

- c. Claim of San Bernardino Sheriff's Department
(Edward Rosenthal)

This claim seeks reimbursement for the costs of a search and rescue operation; settlement is recommended in the amount of \$43,664.39.

[See Supporting Document](#)

- d. Claim of San Bernardino Sheriff's Department
(Michelle Yu)

This claim seeks reimbursement for the costs of a search and rescue operation; settlement is recommended in the amount of \$64,609.96.

[See Supporting Document](#)

- e. Cole Landowski v. County of Los Angeles
Los Angeles Superior Court Case No. BC 451 279

This lawsuit concerns allegations that an employee of the Department of Public Health was subjected to retaliation and harassment; settlement is recommended in the amount of \$57,500.

- f. Robert Cruley v. County of Los Angeles
Los Angeles Superior Court Case No. BC 422 758

This lawsuit concerns allegations of alleged disability discrimination and failure to accommodate by an employee of the Department of Public Social Services; settlement is recommended in the amount of \$130,000.

4. Report of actions taken in Closed Session.
5. Approval of the minutes of the November 7, 2011, regular meeting of the Claims Board.

[See Supporting Document](#)

6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.
7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Richard Davis vs. Danny Wayne Hagle, et al.
CASE NUMBER	MC 021753
COURT	Los Angeles Superior Court – North Lancaster District
DATE FILED	July 8, 2010
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$50,000
ATTORNEY FOR PLAINTIFF	William R. Lively, Esq. Law Offices of William R. Lively
COUNTY COUNSEL ATTORNEY	Robert B. Reagan Principal Deputy County Counsel
NATURE OF CASE	<p>This lawsuit was filed by Richard Davis seeking compensation for damages for personal injuries, which resulted from a collision with a vehicle driven by an employee of the Department of Public Works.</p> <p>Due to the risks and uncertainties of litigation, a contribution of \$50,000 toward a full and final settlement of the case is recommended.</p>
APPROXIMATE ATTORNEY FEES, TO DATE	\$17,646.75
APPROXIMATE COSTS, TO DATE	\$2,321.65



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Case:	Richard W. Davis vs. the County of Los Angeles, et al.
Date of incident/event:	July 10, 2008
Briefly provide a description of the incident/event:	Richard Davis was injured when a County employee broad-sided Plaintiff's vehicle. Mr. Davis sustained a lower back injury consisting of L-4 and L-4 spinal disc bulges, and left knee injury.

1. Briefly describe the root cause of the claim/lawsuit:

On July 10, 2008, a Public Works employee driving eastbound on Avenue S-14 in the unincorporated Palmdale area, became distracted while attempting to answer a cell phone, and ran a stop sign located at the intersection of Avenue S-14 and 101st Street East, which resulted in him striking Plaintiff's vehicle broad-side.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

On September 11, 2008, the Public Works Automotive Safety Committee found the collision to be preventable and recommended the Public Works employee take Defensive Driving Safety Training. A three-day suspension was issued to the Public Works employee by the Department's Advocacy Section, and the employee completed the Defensive Driving Safety Training on December 3, 2008

County of Los Angeles
Summary Corrective Action Plan

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

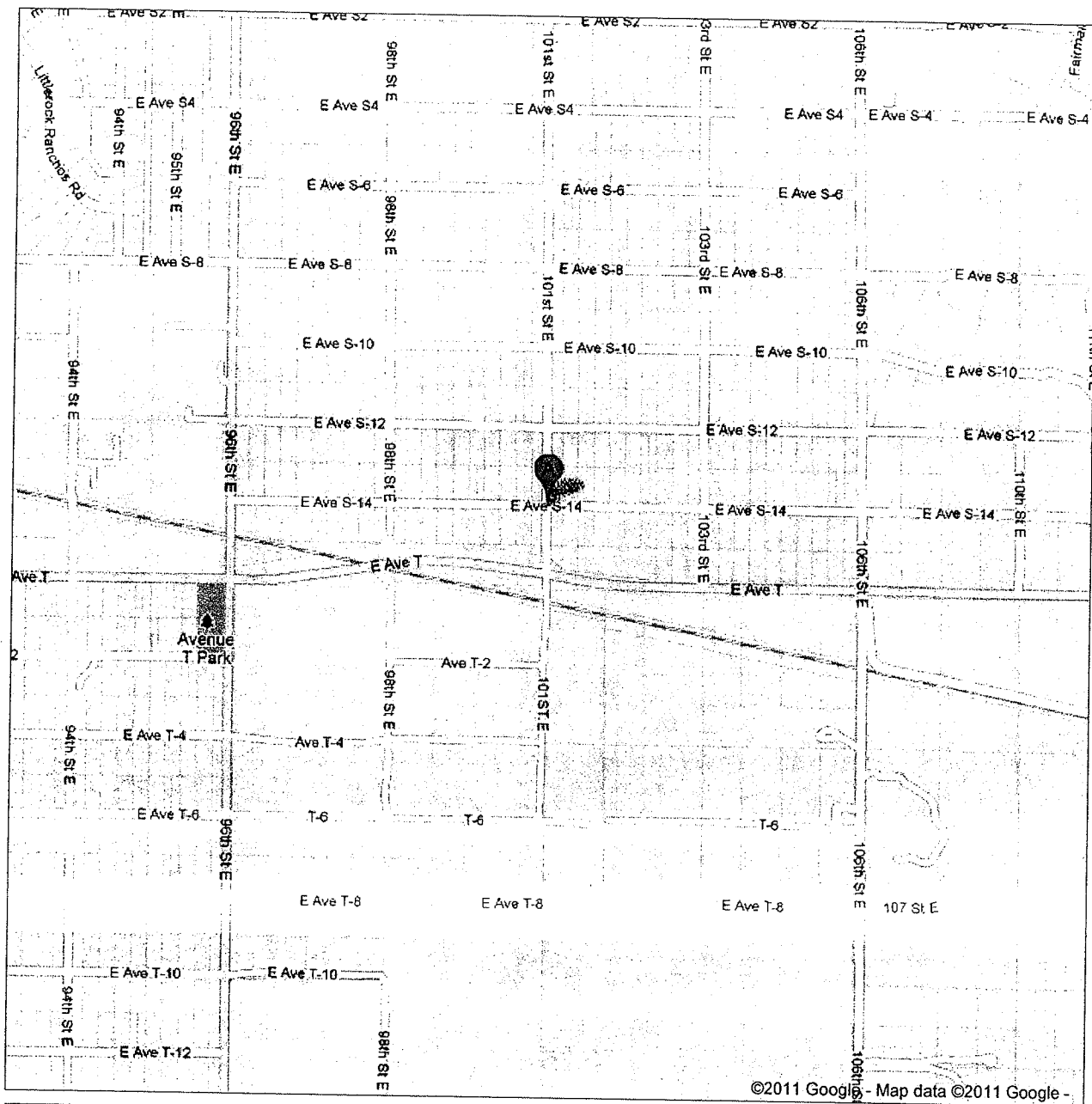
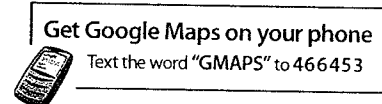
- ☐ Potentially has Countywide implications.
- ☒ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☐ Does not appear to have Countywide or other department implications.

Signature: (Risk Management Coordinator) <i>Steven G. Steinhoff</i> Steven G. Steinhoff	Date: 9-1-11
Signature: (Department Head) Gail Farber <i>Gail Farber</i>	Date: 9-12-11

Chief Executive Office Risk Management

Name: Leo Costantino	
Signature: <i>Leo Costantino</i>	Date: 9-19-11

CC.psr
P4:DAVIS SCAP1



CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of Riverside Sheriff's Department
CASE NUMBER	N/A
COURT	N/A
DATE FILED	April 14, 2011
COUNTY DEPARTMENT	Non-Jurisdictional Administrative Fund
PROPOSED SETTLEMENT AMOUNT	\$ 24,655.92
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	BRIAN T. CHU Principal Deputy County Counsel
NATURE OF CASE	<p>On February 19, 2011, a Los Angeles County resident went cross-country skiing in San Jacinto State Park, a wilderness area of Riverside County. The resident became disoriented and lost when the weather quickly deteriorated. The resident's son reported to the Riverside Sheriff's that his father was overdue. As a result, a search was conducted for the resident, which lasted two days.</p> <p>Personnel from the Riverside Sheriff's Search and Rescue Teams, in coordination with other search and rescue teams from other counties, participated in the search. Air ship resources were</p>

used to locate the resident. Under state law, the county which conducts the search is entitled to be reimbursed for its actual costs of the search, less \$100, from the county in which the person resides.

Due to the mandatory reimbursement provision of state law for search expenses, the County Counsel recommends payment of the claim amount requested.

PAID ATTORNEY FEES, TO DATE	\$	0
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PAID COSTS, TO DATE	\$	0
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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of San Bernardino Sheriff's Department
CASE NUMBER	N/A
COURT	N/A
DATE FILED	January 31, 2011
COUNTY DEPARTMENT	Non-Jurisdictional Administrative Fund
PROPOSED SETTLEMENT AMOUNT	\$ 43,664.39
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	BRIAN T. CHU Principal Deputy County Counsel
NATURE OF CASE	<p>On September 26, 2010, a Los Angeles County resident went hiking alone in Joshua Tree National Park, a wilderness area of San Bernardino County. The resident became disoriented, took a wrong turn on the trail, and became lost. A search was conducted for the resident, which lasted five days.</p> <p>Personnel from the San Bernardino Sheriff's Search and Rescue Team, in coordination with other search and rescue teams from other counties, participated in the search. Air ship resources were used to locate the</p>

resident. Under State law, the county which conducts the search is entitled to be reimbursed for its actual costs of the search, less \$100, from the county in which the person resides.

Due to the mandatory reimbursement provision of state law for search expenses, the County Counsel recommends payment of the claim amount requested.

PAID ATTORNEY FEES, TO DATE	\$	0
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PAID COSTS, TO DATE	\$	0
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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of San Bernardino Sheriff's Department
CASE NUMBER	N/A
COURT	N/A
DATE FILED	February 7, 2011
COUNTY DEPARTMENT	Non-Jurisdictional Administrative Fund
PROPOSED SETTLEMENT AMOUNT	\$ 64,609.96
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	BRIAN T. CHU Principal Deputy County Counsel
NATURE OF CASE	On December 4, 2010, a Los Angeles County resident went hiking on Mount Baldy, a wilderness area of San Bernardino County. The resident was reported missing by a roommate the next day. Deputies of the San Bernardino Sheriff's Department located the resident's parked vehicle near Falls Road and Baldy Road. A massive search was conducted for the resident, which lasted three days. The resident, however, was found deceased and appeared to have fallen 2,000 feet from a trail.

Personnel from the San Bernardino Sheriff's Search and Rescue Teams, in coordination with other search and rescue teams from other counties, participated in the search. Air ship resources were used to locate the resident. Under state law, the county which conducts the search is entitled to be reimbursed for its actual costs of the search, less \$100, from the county in which the person resides.

Due to the mandatory reimbursement provision of state law for search expenses, the County Counsel recommends payment of the claim amount requested.

PAID ATTORNEY FEES, TO DATE	\$	0
PAID COSTS, TO DATE	\$	0

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

November 7, 2011

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:34 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: John Naimo, Laurie Milhiser, and John Krattli.

Other persons in attendance at the meeting were: Office of the County Counsel: Narbeh Bagdasarian and Bruce Cochran; Department of Health Services: Kim McKenzie and Nancy Lefcourt; Sheriff's Department: Lt. Patrick Hunter and Michael Stuver.

2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

No members of the public addressed the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

At 9:36 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) and 4(b) below.

4. Report of actions taken in Closed Session.

At 10:00 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. Christopher Lundy v. County of Los Angeles, Jesus Urrutia Los Angeles Superior Court Case No. TC 024 571

This lawsuit arises from personal injuries received when a Sheriff's patrol car struck a pedestrian in a cross-walk.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$32,500.

Vote: Ayes: 3 - John Naimo, Laurie Milhiser, and John Krattli

b. **Jessie Marin, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. TC 024 255

This medical negligence lawsuit by a minor and his parents arises from treatment received at the Harbor/UCLA Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$2,800,000 plus assumption of a Medi-Cal lien in the amount of \$16,208.87 and waiver of the HUMC hospital bill in the amount of \$19,455.

Vote: Ayes: 3 - John Naimo, Laurie Milhiser, and John Krattli

5. **Review of Board Policy No. 8.020 – Procedures for Including Corrective Follow-up Reports as Part of the Claims Settlements Presented to the Board.**

Action Taken:

The Claims Board voted to recommend changes to the policy.

Vote: Ayes: 3 - John Naimo, Laurie Milhiser, and John Krattli

6. **Approval of the minutes of the October 17, 2011, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Laurie Milhiser, and John Krattli

7. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

No such matters were discussed.

8. Adjournment.

The meeting was adjourned at 10:05 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By

A handwritten signature in black ink, appearing to read "Renee F. Mendoza", is written over a horizontal line.

Renee F. Mendoza